

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

AMY KUSH,	:	
Plaintiff	:	CIVIL ACTION NO. 3:18-1483
v.	:	(JUDGE MANNION)
BAYVIEW LOAN SERVICING,	:	
<i>et al.</i>,	:	
Defendants	:	

ORDER

For the reasons set forth in the memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) The plaintiff's complaint insofar as it is construed as a request for a immediate injunctive relief seeking to prevent the August 3, 2018 Sheriff's sale of her property, (Doc. 1), is **DENIED**;
- (2) The plaintiff's due process claims in her complaint, (Doc. 1), are **DISMISSED WITH PREJUDICE** since the court lacks jurisdiction over them;
- (3) The court directs the plaintiff to file an amended complaint regarding only her Fourteenth Amendment equal protection claim and her First Amendment retaliation claim, on or before August 17, 2018, as specified in the accompanying memorandum. If plaintiff fails to do so, the case will be dismissed without further notice.
- (4) The Court of Common Pleas of Luzerne County is **DISMISSED**

WITH PREJUDICE; and,

- (5) The clerk of court is directed to **REFER** this case back to Judge Arbuckle for further pre-trial proceedings.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: July 31, 2018

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